

Application No. 10/048,137

REMARKS

Claims 1-6 are pending. By this Amendment, claims 1-6 are amended.

Claims 1-6 have been amended to conform to customary U.S. practice. No new matter has been added and no narrowing amendments are intended.

Claims 1-5 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,333,973 to Smith et al. Claim 6 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Smith in view of U.S. Patent No. 6,560,456 to Lohtia et al. The rejections of claims 1-6 are respectfully traversed.

The invention is directed to a server for controlling telecommunications or computer equipment using short messages. A short message will be constituted, for example, by fields containing command parameters for requesting services and executing functions (page 5, line 26-page 6, line 32). The cited references neither teach nor suggest the server of claim 1, comprising means for the reception and interpretation of SMS or UUS short messages that include commands, in cooperation with the other claimed elements. The cited references also do not teach or suggest the control device of claim 2 or the control system of claim 3, respectively comprising a server for controlling telecommunications or computer equipment, the server comprising means for the reception and interpretation of short message service (SMS) or user-to-user signaling (UUS) short messages including commands, in cooperation with the other claimed elements.

Smith is directed to an integrated message center that graphically displays different types of received messages together to facilitate user viewing and manipulation of the messages (column 2, lines 27-30). The integrated message center disclosed by Smith resides in

Application No. 10/048,137

mobile telephone 1100 and operates in conjunction with network services provider 1200 to inform a user of incoming and pending messages. The user uses mobile telephone 1100 to view messages from callers having different types of caller equipment, including a caller mobile telephone 1400. Column 3, lines 50-57. The caller may use mobile telephone 1400 to send the user an SMS message. Column 4, lines 25-35. At column 7, lines 15-24, Smith teaches a server 5300 that processes and relays SMS messages to or from mobile telephone 1100 and notifies the user of pending messages. Smith, however, does not teach or suggest a server including means for the reception and interpretation of SMS or UUS short messages that include commands, as recited in claims 1-3 of the present application in cooperation with the other claimed elements of each respective claim.

Lohtia was not cited with respect to claims 1-3 but also not teach or suggest the invention claimed in claims 1-3. Lohtia is directed to a system and method that provide the use of a trigger to cause SMS or microbrowser messages to be sent to wireless telephone or device (column 1, lines 46-51). The user can request preselected data or other information (column 7, lines 24-28) and gateway 302 sends the information to the user at handset 301 via SMS or microbrowser message (column 7, lines 38-41). Thus, Lohtia also does not teach or suggest the server of claim 1, the control device of claim 2, or the control system of claim 3, respectively comprising means for the reception and interpretation of SMS or UUS short messages that include commands, in cooperation with the other elements recited in each claim.

Therefore, claims 1, 2, and 3 are allowable at least of the reasons set forth above. Claims 4-6 depend from claim 3 and are also allowable for at least these reasons. The various

Application No. 10/048,137

rejections of claims 4-6 are traversed but not expressly argued in light of the allowability of the underlying base claim.

In view of the foregoing, it is submitted that this application is in condition for allowance. Favorable consideration and prompt allowance of the application are respectfully requested.

The Examiner is invited to telephone the undersigned if the Examiner believes it would be useful to advance prosecution.

Respectfully submitted,



James H. Patterson
Registration No. 30,673

Customer No. 24113
Patterson, Thuent, Skaar & Christensen, P.A.
4800 IDS Center
80 South 8th Street
Minneapolis, Minnesota 55402-2100
Telephone: (612) 349-5741